



City of Worcester Zoning Board of Appeals Meeting Agenda

Monday, March 25, 2024, at 5:30 PM

Worcester City Hall
Levi Lincoln Chamber, 3rd Floor (Room 309), 455 Main Street

Board Members

Russell Karlstad, *Chair*
Jordan Berg Powers, *Vice Chair*
George Cortes
Anthony Dell'Aera
Eric Torkornoo
Nathan Sabo, *Alternate Member*
Shannon Campaniello, *Alternate Member*

Contacting the Board's Office

The Planning and Regulatory Services
Division serves as the Board's staff.

Address: City Hall, 455 Main St, Room
404, Worcester, MA 01608
Hours: M-F, 8:30 AM-5:00 PM
Phone: (508) 799-1400 x 31440
Email: planning@worcesterma.gov
Website: [www.worcesterma.gov/
planning-regulatory/](http://www.worcesterma.gov/planning-regulatory/)

The Zoning Board of Appeals is committed to ensuring that its public meetings are accessible to all. Should you require interpretation, auxiliary aids, services, written materials in other formats, or reasonable modifications in policies and procedures, please contact the Planning Division a minimum of 2 business days in advance of the scheduled meeting.

Hay disponibles servicios de interpretación y otras adaptaciones con solicitud previa.

تتوفر الترجمة الفورية وغيرها من وسائل التيسير عند الطلب المسبق.

अनुवाद र अग्य आवासह अ'-म अनरोधपचात उपलब्ध हुन्छ।

Interpretação e outras adaptações estão disponíveis mediante solicitação prévia.

Përkthimi dhe akomodime të tjera janë në dispozicion me kërkesë paraprake.

Kasa nkyereasee ene akwanya aforo da ho ma won a won be bisa ato ho.

Phiên dịch và các hỗ trợ khác có sẵn theo yêu cầu trước

Division Staff

Michelle Smith, ACDO
Victor Panak, Chief Planner
Eric Flint, Conservation Planner
Michelle Johnstone, Sr. Preservation Planner
Rose Russell, Senior Planner
Andreana Brenner, Planning Analyst
Olivia Holden, Planning Analyst
Lisa Nguyen, Staff Assistant II
Amy Beth Laythe, Administrative Assistant

Upcoming Meetings

May 6, 2024
June 3, 2024
June 24, 2024
July 15, 2024
August 5, 2024
August 26, 2024
September 16, 2024

This Worcester Zoning Board of Appeals meeting will be held **in-person** at the date, time and location listed above. Meeting attendees will additionally have options to participate remotely by joining online or by phone:

- Use the following link to join the meeting via computer <https://cityofworchester.webex.com/meet/zoningboardofappealswebex>
- Call **1-844-621-3956 (Access Code: 2630 362 4924)**

Note: If technological problems interrupt the virtual meeting component, the meeting will continue in-person.

Application materials may be viewed online at:

www.worcesterma.gov/planning-regulatory/boards/zoning-board-of-appeals.
or at City Hall, 455 Main Street, Rm. 404, Worcester, MA from 8:30 AM to 5:00 PM, Monday-Friday.

For more information concerning this meeting, to request a reasonable accommodation or interpretation, or to submit **written comments** in advance of the hearing, please contact the Planning Division by email (preferred) at planning@worcesterma.gov or phone at (508) 799-1400 x 31440. Submission of comments in advance of the hearing is strongly encouraged. Note: Interpretation requests must be received 2 business days in advance of the meeting.

Las solicitudes de intérpretes para personas con dominio limitado del inglés deben hacerse a más tardar 2 días hábiles antes de la reunión. Para obtener más información en relación con esta reunión o enviar comentarios o preguntas por escrito antes de la reunión, contacte a: planning@worcesterma.gov or (508) 799-1400 x 31440

Call to Order – 5:30 pm

Old Business – Public Hearings

- 11 (aka 8) Earle Terrace (ZB-2023-005) (MBL 01-026-0014A)**
Special Permit: To operate a motor vehicle/trailer/boat sales use in a BL-1.0 zone (Article IV, Section 2, Table 4.1, Business Use #15)).
Special Permit: To operate a motor vehicle service/repair/garage/display use in a BL-1.0 zone (Article IV, Section 2, Table 4.1, Business Use #16).
Petitioner: Steven Christopher
Present Use: Presently on the premises is a 1-story building being used for motor vehicle repair/garage/sales and a surface display lot.
Zone: BL-1.0 (Business, Limited)
Designation:
Petition Purpose: The applicant seeks to retroactively permit operations of a motor vehicle service repair/garage/display and sales use on the property (Article IV, Section 2, Table 4.1, Business Use #15 & 16).

Testimony Date: 5/15/2023

Constructive Grant Deadline: TBD

Old Business – Public Hearings

2. 98 Whitmarsh Avenue (ZB-2023-093) (MBL 12-040-00025)
Administrative Appeal: Of a determination issued by the Building Commissioner to cease and desist operations of a lodging house use in an RL-7 (Residence, Limited) Zoning District
Petitioner: Samuel Kayode and Atebezi Fonge
Present Use: Presently on the premises is a nonconforming single-family detached dwelling asserted as being used as a lodging house.
Zone Designation: RL-7 (Residence, Limited)
Petition Purpose: The applicant seeks to overturn the determination issued by the Building Commissioner to cease and desist operations of a lodging house (Article IV, Section 2, Table 4.1, Residential Use #8) in an RL-7 zone.
Public Hearing Deadline: 3/25/2024 Constructive Grant Deadline 5/7/2024

New Business – Public Hearings

3. 11 Parker Street and 54 Mason Street (ZB-2024-001) (MBL 06-020-00037; 06-020-00019)
Special Permit: To modify the parking dimensional and layout requirements, loading requirements, and/or the number of required parking spaces (Article IV, Section 7.A.2).
Petitioner: Daniel Yarnie
Present Use: Presently on the premises is a ±6,089 SF office building at 54 Mason Street and a ±1,621 SF auto service garage at 11 Parker Street.
Zone Designation: RG-5 (Residence, General)
Petition Purpose: The petitioner seeks to construct a 12-unit, 3+ story multi-family low-rise apartment building with 24 parking spaces, including a garage on the ground level
Public Hearing Deadline: 5/1/2024 Constructive Grant Deadline TBD

4. 79 Pullman Street (ZB-2024-012) (MBL 23-01A-0006A)
Special Permit: To allow a non-residential use (Business Use #7; Food Service (drive-thru)) allowed only by Special Permit in the ML-0.5 zoning district (Article IV, Section 2, Table 4.1)
Special Permit: To modify the parking dimensional and layout requirements, loading requirements, and/or the number of required parking spaces (Article IV, Section 7.A.2)
Petitioner: Lacy Topaz, LLC
Present Use: Presently on the premises is a vacant lot with a paved parking.
Zone Designation: ML-0.5 (Manufacturing, Limited) and MG-0.5 (Manufacturing, General)
Petition Purpose: The petitioner seeks to remove all existing site improvements and construct a ±2,328 SF food service building with a drive-through lane, outdoor seating, off-street parking, and associated site improvements.
Public Hearing Deadline: 5/10/2024 Constructive Grant Deadline TBD

New Business – Public Hearings

5. 85 Lake Avenue North & 55 Mohican Road (ZB-2024-016) (MBL 46-003-46-48; 46-003-0047A)

- Special Permit:** To allow a residential use (Residential Use #11; Multi-family dwelling, low rise) allowed only by Special Permit in the RL-7 zoning district (Article IV, Section 2, Table 4.1)
 - Special Permit:** To modify the parking dimensional and layout requirements, loading requirements, and/or the number of required parking spaces (Article IV, Section 7.A.2)
 - Variance:** For relief from the minimum lot area requirement for a low-rise multifamily dwelling in an RL-7 zoning district (Article IV, Section 4, Table 4.2)
 - Variance:** For relief from the minimum frontage requirement for a low-rise multifamily dwelling in an RL-7 zoning district (Article IV, Section 4, Table 4.2)
 - Variance:** For relief from the minimum side yard setback requirement for a low-rise multifamily dwelling in an RL-7 zoning district (Article IV, Section 4, Table 4.2)
 - Variance:** For relief from the minimum off-street accessory parking requirements for a residential use (Article IV, Section 7, Table 4.4)
 - Petitioner: Zayda Vallejo
 - Present Use: Presently on the premises is a ±3,047 SF single family dwelling and fenced back yard
 - Zone Designation: RL-7 (Residence, Limited)
 - Petition Purpose: The petitioner seeks to demolish the existing single-family dwelling that currently occupies 85 Lake Avenue North and construct a 3-story low-rise multifamily building with 10 dwelling units and 16 accessory off-street parking spaces and make associated site improvements
 - Public Hearing Deadline: 5/11/2024 Constructive Grant Deadline 6/15/2024
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6. 12 Oak Knoll Road (ZB-2024-017) (MBL 25-001-00008)

- Special Permit:** To allow placement, filling, or dumping of earth or other material not associated with any construction activities (Article IV, Section 5.A.4)
 - Petitioner: Frank Deboise & Marguerite Mullaney
 - Present Use: Presently on the premises is a single-family detached dwelling on a lot that slopes down towards the southeast
 - Zone Designation: RS-10 (Residence, Single Family) and RS-7 (Residence, Single Family)
 - Petition Purpose: The petitioner seeks retroactive approval to approve the unauthorized fill and approval to add more fill
 - Public Hearing Deadline: 5/4/2024 Constructive Grant Deadline: TBD
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New Business – Public Hearings

7. 44 Grafton Street & 102 Temple Street (ZB-2024-018) (MBL 04-016-11+16 & -00015)

Extension of Time

Variance: For relief from the minimum off-street parking requirements in an CCOD-C overlay zoning district (Article IX, Section 7, Table 9.1)

Petitioner: 102 Temple Street, LLC

Present Use: Presently on the premises is a ±6,672 SF vacant commercial building (formerly Fairway Beef) and associated site improvements including 17 surface parking spaces

Zone Designation: BG-3.0 (Business, General) and CCOD-C (Commercial Corridors Overlay - Canal District Subarea), USOD (Union Station View Corridor Sign Overlay District) and DSOD (Downtown/Blackstone Canal Sign Overlay District) overlay districts

Petition Purpose: The petitioner seeks an extension of time for previously approved relief to demolish the existing improvements and construct a ±90,000SF, ±9-story mixed use structure with ±105 dwelling units, ±1,000SF ground floor commercial space and associated garage parking (±72 spaces) and conduct related site improvements

Public Hearing Deadline: N/A Constructive Grant Deadline 3/28/2024

8. 214 Hamilton Street (ZB-2024-019) (MBL 18-046-00001)

Special Permit: To extend, alter, or change a privileged nonconforming structure and/or use (Article XVI, Section 4)

Special Permit: To modify the parking dimensional and layout requirements, loading requirements, and/or the number of required parking spaces (Article IV, Section 7.A.2)

Variance: For relief from the minimum off-street accessory parking requirements for a residential use (Article IV, Section 7, Table 4.4)

Petitioner: Rafael Hernandez

Present Use: Presently on the premises is a multifamily high-rise building with 4 dwelling units

Zone Designation: RG-5 (Residence, General)

Petition Purpose: The petitioner seeks to build an addition with 4 new dwelling units and make changes to associated on-site parking

Public Hearing Deadline: 5/8/2024 Constructive Grant Deadline: 6/12/2024

New Business – Public Hearings

9. 56 Fruit Street (ZB-2024-021) (MBL 02-045-00099)

Special Permit: To extend, alter, or change a privileged nonconforming structure and/or use (Article XVI, Section 4)

Variance: For relief from the minimum lot area requirement for a two-family dwelling in an RG-5 zoning district (Article IV, Section 4, Table 4.2)

Petitioner: Bradlee Webster

Present Use: Presently on the premises is a privileged nonconforming single-family dwelling

Zone Designation: RG-5 (Residence, General)

Petition Purpose: The petitioner seeks to convert the single-family dwelling to a two-family dwelling, enlarge the existing 3rd floor dormer, and conduct associated site improvements

Public Hearing Deadline: 5/9/2024 **Constructive Grant Deadline:** 6/13/2024

Other Business

10. Communications

- a. Vision Zero Survey

11. Approval of Minutes –2/12/2024; 3/4/2024

12. Discussion of Board Policies and Procedures

- a. Consideration and Issuance of Scrivener’s Error Decision for 103 Alvarado Avenue (ZB-2023-084.
- b. Consideration and Issuance of Scrivener’s Error Decision for 37 & 60 Great Brook Valley Avenue (ZB-2024-006)

Adjournment